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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 STEVEN F. SHERER,) Case No. C06-1635-RSM
10 Petitioner,)
11 v.)
12 BELINDA STEWART,) ORDER OF DISMISSAL
13 Respondent.)
_____)

14 The Court, after a full and careful consideration of petitioner's § 2254 petition for writ of
15 habeas corpus, the answer of the respondent, all supplemental materials filed, the Report and
16 Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, the
17 governing authorities, and the balance of the record, does hereby FIND as follows:

- 18 (1) In light of the thoroughly meticulous, 41 page Report and Recommendation, based
19 on the comprehensive record developed before the magistrate judge, as well as the
20 state of the record below, oral argument is unnecessary for this Court to fully
21 consider petitioner's objections.
- 22 (2) As found by Judge Donohue, after an extensive review of petitioner's grounds for
23 relief, the overwhelming nature and amount of circumstantial evidence presented
24 at trial made the evidence more than sufficient to find Petitioner guilty beyond a
25 reasonable doubt.
- 26 (3) Petitioner's objections to the Report and Recommendation lack merit.

ORDER DISMISSING § 2254 PETITION

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02 Therefore, this Court hereby ORDERS:

- 03 (1) Petitioner's request for oral argument is DENIED.
04 (2) The Court adopts the Report and Recommendation of Judge Donohue.
05 (3) Petitioner's federal habeas petition (Dkt. No. 1) is DENIED and this case is
06 DISMISSED with prejudice.
07 (4) The Clerk is directed to send copies of this Order to all counsel of record and to
08 Judge Donohue.

09 DATED this 17th day of June, 2009.
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13 RICARDO S. MARTINEZ
14 UNITED STATES DISTRICT JUDGE
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